

ATTORNEY DOCKET: P-10998.00

# United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled ACTIVE AGENT DELIVERY SYSTEMS, MEDICAL DEVICES, AND METHODS.

The specification of which

a. X is attached hereto

b. \_\_\_\_\_ was filed on \_\_\_\_\_ as application serial no. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable) (in the case of a PCT-filed application) described and claimed in international no. \_\_\_\_\_ filed \_\_\_\_\_ and as amended on \_\_\_\_\_ (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).<sup>1</sup>

I hereby claim foreign priority benefits under Title 35, United States Code, §119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. X no such applications have been filed.

b. \_\_\_\_\_ such applications have been filed as follows:

### FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC §119

COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE

### ALL FOREIGN APPLICATIONS, IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE

I hereby claim the benefit under Title 35, United States Code, §112/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

We hereby claim priority benefits under Title 35, United States Code, §119(e)(1) of any U.S. provisional application listed below:

U.S. APPLICATION NUMBER	DATE OF FILING	STATUS (patented, pending, abandoned)
60/403,352	August 13, 2002	Pending

<sup>1</sup> § 1.56 Duty of disclosure; fraud, striking or rejection of applications.

(a) A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Harold R. Patton  
Michael J. Jaro  
Girma Wolde-Michael  
Thomas F. Woods  
E. Lacy Belden  
Matthew W. Adams  
Mark J. Gebhardt  
David L. Provence

Reg. No. 22,157  
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Reg. No. 36,724  
Reg. No. 36,726  
Reg. No. 50,751  
Reg. No. 43,459  
Reg. No. 33,518  
Reg. No. 43,022

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Daniel W. Latham  
Curtis D. Kinghorn  
Eric R. Waldkoetter  
Paul H. McDowell  
Loren D. Albin  
Nancy A. Johnson  
Kevin W. Raasch

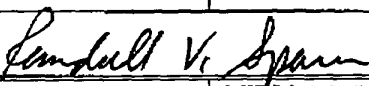

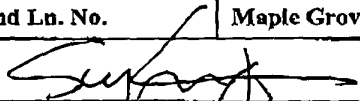
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Kathleen L. Franklin  
Ann M. Mueiting  
Victoria A. Sandberg

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Reg. No. 32,192  
Reg. No. 41,455  
Reg. No. 43,424  
Reg. No. 47,574  
Reg. No. 33,977  
Reg. No. 41,287

Please direct all correspondence in this case to: Attn: Ann M. Mueiting  
Mueiting, Raasch & Gebhardt, P.A.  
P.O. Box 581415  
Minneapolis, MN 55458-1415  
Telephone No. (612) 305-1220  
Customer Number 26813

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2 0 1	Full Name of Inventor	FIRST NAME Randall	MIDDLE INITIAL V.	LAST NAME Sparer
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SIGNATURE OF INVENTOR 201 				DATE 8-13-03
2 0 2	Full Name of Inventor	FIRST NAME Christopher	MIDDLE INITIAL M.	LAST NAME Hobot
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SIGNATURE OF INVENTOR 202 				DATE 8-13-03
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SIGNATURE OF INVENTOR 204				DATE

\_\_\_ Additional pages for fourth and subsequent inventors attached.

X This Declaration ends with this page.

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